

David J. Miclean (SBN 115098)
dmiclean@micleangleason.com
Carmen M. Aviles (SBN 251993)
caviles@micleangleason.com
MICLEAN GLEASON LLP
411 Borel Avenue, Suite 310
San Mateo, CA 94402
Office: (650) 684-1181
Fax: (650) 684-1182

Craig S. Jepson (SBN 132150)
REED & SCARDINO LLP
301 Congress Avenue, Suite 1250
Austin, TX 78701
Telephone: (512) 474-2449
Facsimile: (512) 474-2622
cjepson@reedscardino.com

Attorneys for Plaintiff
MOBILE TELECOMMUNICATIONS
TECHNOLOGIES, LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

MOBILE TELECOMMUNICATIONS TECHNOLOGIES.

Case No.:

Plaintiff,

v.
SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC..

Defendants.

**DECLARATION OF CRAIG S. JEPSON
IN SUPPORT OF PLAINTIFF MOBILE
TELECOMMUNICATIONS
TECHNOLOGIES, LLC'S
ADMINISTRATIVE MOTION TO SEAL
IN RE MOTION TO COMPEL THIRD-
PARTY GOOGLE, INC. TO PRODUCE
DOCUMENTS AND TO MAKE
AVAILABLE AN ADDITIONAL
WITNESS AND REQUEST FOR
SANCTIONS PURSUANT TO FRCP 37**

1 I, Craig S. Jepson, am admitted to the Bar of the Supreme Court of the United States of
2 America, the Fifth Circuit, the Ninth Circuit, the Federal Circuit Court of Appeals, and to the
3 Bars of the United States District Courts for the Eastern, Northern, Southern, and Western
4 Districts of Texas and to the Northern District of Texas. I am a member in good standing of the
5 State Bar of Texas and the State Bar of California. I am, and have been since 1989, registered
6 to practice before the United States Patent and Trademark Office. (Reg. No. 33,517). I make
7 this declaration either from my own personal knowledge, or from the files of Reed & Scardino
8 LLP kept in the ordinary course of business with which I am familiar, as should be apparent
9 from the context of my statements. I have read and complied with Civil Local Rule 79-5.

10 1. MTel seeks to seal the highlighted portions of the unredacted version of Plaintiff
11 Mobile Telecommunications Technologies, LLC's Motion to Compel Third-Party Google, Inc.
12 to Produce Documents and to Make Available An Additional Witness And Request for
13 Sanctions Pursuant to FRCP 37. These portions are taken from the exhibits identified below
14 and should be sealed for the same reasons described below.

15 2. MTel seeks to seal the entirety of excerpts from the November 11, 2015,
16 deposition of Google corporate representative Francesco Nerieri, filed provisionally under seal as
17 **Exhibit 4** to the Declaration of Craig S. Jepson. Counsel for Google marked the entire
18 transcript "Confidential – Outside Counsel Only." Only those pages to which MTel directly
19 cites in the corresponding motion are provided as part of Exhibit 1.

20 3. MTel seeks to seal the entirety of the document "GCM Protocol," filed
21 provisionally under seal as **Exhibit 5** to the Declaration of Craig S. Jepson. This document was
22 produced by Google subject to a protective order (Dkt. No. 57), entered in the Eastern District
23 of Texas in the matter of *Mobile Telecommunications Technologies, LLC v. Samsung*
24 *Electronics Co., Ltd., et al.*, 2:15-cv-00183-JRG-RSP. Google produced the document marked
25 as "Highly Confidential – Outside Counsel Only."

26 4. MTel seeks to seal the highlighted portions of the unredacted version of Mobile
27 Telecommunications Technologies, LLC's November 20, 2015, Notice of 30(B)(6) Deposition
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1 of Google, Inc., filed provisionally under seal as **Exhibit 7** to the Declaration of Craig S. Jepson.
2 The specified portions originate from Exhibit 2 and should be sealed for the same reasons.

3 5. MTel seeks to seal the entirety of the December 9, 2015 correspondence to Ms.
4 Andrea Roberts, filed provisionally under seal as **Exhibit 8** to the Declaration of Craig S.
5 Jepson. This three-page correspondence is replete with information taken from exhibits 1 and 2,
6 including a block quotation from the deposition of Mr. Nerieri.

7 6. MTel seeks to seal the highlighted portions of the unredacted version of Third
8 Party Google, Inc.'s Response to Mobile Telecommunications Technologies, LLC's November
9 25, 2015 Subpoena for Deposition and Documents., filed provisionally under seal as **Exhibit 9**
10 to the Declaration of Craig S. Jepson. The specified portions include definitions taken from
11 Exhibit 2; which is marked "Highly Confidential – Outside Counsel Only." These definitions
12 define message types that are part of the proprietary Google protocol for GCM.

13 I declare under penalty of perjury, under the laws of the United States and the State of
14 Texas, that the foregoing is true and correct. Executed this 11th day of January, 2016, in Austin,
15 Texas.

16 */s/ Craig S. Jepson* _____
17 Craig S. Jepson
18 Attorney, Reed & Scardino, LLP
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